

MESSAGE NO: 9211203 MESSAGE DATE: 07/30/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-827

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/01/2006 TO 11/30/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: PARTIAL RESCISSION OF ADMIN REV OF CASED PENCILS FROM CHINA. FIRM:
BEIJING DIXON TICONDEROGA STATIONERY (A-570-827-010) LIFTING OF SUSPENSION:
07/13/2009

MESSAGE NO: 9211203

DATE: 07 30 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 827

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PERIOD COVERED: 12 01 2006 TO 11 30 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: PARTIAL RESCISSION OF ADMIN REV OF CASED PENCILS FROM
CHINA. FIRM: BEIJING DIXON TICONDEROGA STATIONERY
(A-570-827-010) LIFTING OF SUSPENSION: 07/13/2009

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON
CERTAIN CASED PENCILS FROM THE PEOPLES REPUBLIC OF CHINA
(A-570-827), COVERING THE PERIOD 12/01/2006 THROUGH
11/30/2007, HAS BEEN RESCINDED FOR THE FIRM LISTED BELOW
BECAUSE IT REPORTED TO THE DEPARTMENT OF COMMERCE THAT IT HAD
NO SHIPMENTS OF SUBJECT MERCHANDISE DURING THE PERIOD.

COMPANY: BEIJING DIXON TICONDEROGA STATIONERY CO., LTD

CASE NUMBER: A-570-827-010

2. FOR ALL SHIPMENTS OF CERTAIN CASED PENCILS FROM THE PEOPLES REPUBLIC OF CHINA PRODUCED BY THE FIRM LISTED ABOVE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 12/01/2006 THROUGH 11/30/2007, AND EXPORTED BY FIRMS OTHER THAN THE RESCINDED FIRM LISTED ABOVE, ASSESS ANTIDUMPING DUTIES AT THE RATE IN EFFECT ON THE DATE OF ENTRY.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED ABOVE OCCURRED WITH THE PUBLICATION OF THE NOTICE OF FINAL RESULTS AND PARTIAL RESCISSION OF ANTIDUMPING DUTY ADMINISTRATIVE REVIEW (74 FR 33406, 07/13/2009).

FOR ALL OTHER SHIPMENTS OF CERTAIN CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES.

THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER.

INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY.

IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1:DL).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE M. FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party